

## REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1 through 158 and 165 through 229 are pending, with Claims 1, 45, 50, 76, 87, 130, 136, 142, 170, 214, and 226 being independent. Claims 1, 45, 50, 76, 87, 130, 136, 142, 170, 214, 225, and 226 have been amended.

Claims 1 through 47, 50 through 75, 87 through 115, 127 through 158, and 165 through 228 were rejected under 35 U.S.C. § 102 over U.S. Patent No. 5,341,155 (Elrod, et al.). Claim 229 was rejected under 35 U.S.C. § 103 over Elrod, et al. in view of U.S. Patent No. 6,050,690 (Shaffer, et al.). Claims 48, 49, 76 through 86, and 116 through 129 were rejected under § 103 over Elrod, et al. in view of U.S. Patent No. 5,504,501 (Hauck, et al.). All rejections are respectfully traversed.

Claims 1, 45, 50, 87, 130, 136, 142, 170, 214, and 226 variously recite, inter alia, threshold setting means for (Claims 1, 45, 130, 142, and 226) or a step of (Claims 50, 87, 136, 170, and 214) setting a threshold value on the basis of the difference signal obtained from each photoelectric conversion element, while Claim 76 recites, inter alia, setting first and second threshold values on the basis of the difference signal obtained from each photoelectric conversion element.

However, Applicants respectfully submit that none of Elrod, et al., Shaffer, et al., and Hauck, et al., even in combination, assuming, arguendo, that the documents could be combined, discloses or suggests at least the above-discussed claimed features as recited, inter alia, in Claims 1, 45, 50, 76, 87, 130, 136, 142, 170, 214, and 226. It is further respectfully

submitted that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at such claimed features.

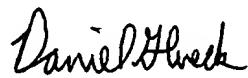
The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

This Amendment After Final Rejection is an earnest attempt to advance prosecution and reduce the number of issues, and is believed to clearly place this application in condition for allowance. Furthermore, Applicants respectfully submit that a full appreciation of these amendments will not require undue time or effort given the Examiner's familiarity with this application. Moreover, this Amendment was not earlier presented because Applicants earnestly believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of this Amendment under 37 C.F.R. § 1.116 is respectfully requested.

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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